

Message Text

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ORIGIN EB-07

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FM SECSTATE WASHDC
TO AMEMBASSY NAIROBI PRIORITY

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E.O. 11652: N/A

TAGS: EAIR

SUBJECT: CIVAIR: PAN AM CHARTERS AND BILATERAL NEGOTIA-
TIONS

REF: NAIROBI 6656

1. DEPARTMENT APPRECIATES EMBASSY'S COMPREHENSIVE REPORT
CONTAINED REFTEL. IN SUPPORT OF PARA 10 REFTEL, PAN AM
HAS ALSO EXPRESSED ITS DESIRE THAT USG UNDERTAKE PROMPT
NEGOTIATIONS WITH GOK TOWARD REACHING A BILATERAL CIVAIR
AGREEMENT. PAN AM BELIEVES THAT AN EARLY USG APPROACH TO
GOK WOULD SERVE TO FORESTALL KENYAN ADOPTION OF PROTEC-
TIONIST ATTITUDES INIMICAL TO US AVIATION INTERESTS. PAN
AM SPECULATES THAT UNLESS WE DISCUSS WITH GOK OUR BILATERAL
CIVAIR CONCERNS AT THIS TIME, THE KENYANS MAY ESTABLISH
AN AVIATION POLICY WHICH WOULD INCLUDE RESTRICTIONS ON US
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AIRLINES' OPERATING FLEXIBILITY.

2. IN CONSIDERING FUTURE USG COURSE OF ACTION, WE ARE
EXAMINING PROS AND CONS OF FOLLOWING ALTERNATIVES:

(A) TAKE EARLY INITIATIVE SUGGESTING GOVERNMENT LEVEL
CONSULTATIONS TO EXPLORE CIVAIR ISSUES AND POSSIBLY TO

NEGOTIATE AN AIR TRANSPORT AGREEMENT. THIS OPTION WOULD

BE BASED ON REASONS INDICATED PARA 1 ABOVE.

(B) AVOID CONSULTATIONS FOR TIME-BEING BUT DISPLAY STRONG AND VISIBLE SUPPORT OF PAN AM CARGO ISSUE AS WELL AS ANY OTHER CIVAIR ISSUES AS MAY ARISE.

(C) LIMIT USG ACTION TO INFORMAL REPRESENTATIONS AS APPROPRIATE ALLOWING TIME FOR GOK TO DEVELOP ITS CIVAIR POLICIES AND LINES OF AUTHORITY. FOR THE TIME-BEING, PAN AM WOULD HAVE TO EXPECT MAKING ANY ACCOMMODATIONS WITH KENYANS AS BEST IT COULD UNDER THE CIRCUMSTANCES.

3. IN SUPPORT OF ALTERNATIVES B AND C ABOVE, IT COULD BE SAID THAT UNLESS THERE IS A CLEARER INDICATION OF KENYAN CIVAIR GOALS AND ATTITUDES, WE COULD NOT REASONABLY EXPECT THEM TO AGREE TO FORMAL BILATERAL ARRANGEMENTS WHICH WOULD RESULT IN US BENEFITS GREATER THAN OR EQUAL TO THOSE CURRENTLY ENJOYED BY US. PRECIPITOUS US ACTION COULD, THEREFORE, SERVE TO ADVANCE POSSIBLE KENYAN DEMANDS FOR CHANGES IN STATUS QUO WHICH HAS BEEN GENERALLY FAVORABLE TO US. IT IS ALSO POSSIBLE THAT NO AGREEMENTS COULD BE REACHED WITH BEST OF INTENTIONS UNTIL KENYAN CIVAIR SITUATION IS STABILIZED.

4. EMBASSY COMMENTS ON THE ABOVE WOULD BE VERY USEFUL IN SHAPING DEPARTMENT'S CHOICE OF FURTHER ACTION.

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